

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SCOTT BERG,

Plaintiff,

-v.-

LONG ISLAND RAILROAD COMPANY,

Defendant.

22 Civ. 5453 (JHR)

ORDER

JENNIFER H. REARDEN, District Judge:

The Court's March 12, 2025 Order directed the parties to "file a revised proposed joint pretrial order that fully complies with the Court's Individual Rules," namely Indiv. Rule 7.A.x. ECF No. 41. Rule 7.A.x "requires, *inter alia*, that the parties' pretrial order include '[a] list of all trial witnesses, indicating whether such witnesses will testify in person or by deposition.'" *Id.* (alteration in original) (quoting Indiv. Rule 7.A.x). Like the proposed pretrial order initially filed by the parties, *see* ECF No. 37, the revised proposed pretrial order, *see* ECF No. 42 (the "Revised Proposed Pretrial Order"), does not include such a list. By **March 26, 2025**, the parties must file a further revised proposed pretrial order (the "Second Revised Proposed Pretrial Order") that contains the required information.

In submitting the Second Revised Proposed Pretrial Order, the parties shall provide a redline in compliance with Rule 1.D. *See* Indiv. Rule 1.D ("Any amended or corrected filing . . . shall be filed with a redline showing all differences between the original and revised filing."). Specifically, the parties are to file (1) a redline comparing the Second Revised Proposed Pretrial Order with the Revised Proposed Pretrial Order; and (2) a redline comparing the Second Revised Proposed Pretrial Order with the parties' initial proposed pretrial order filed on March 7, 2025, ECF No. 37.

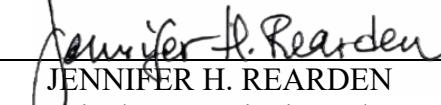
Additionally, the Court's February 10, 2025 Order directed the parties to "submit copies of all intended exhibits in accordance with Rule 7.G of the Court's Individual Rules." ECF No. 32 at 1. Indiv. Rule 7.G.i provides that, "[a]t least one week before the final pretrial conference, the parties shall provide the Court with a digital copy of exhibits and demonstrative aids that they intend to use in their case in chief at trial, as well as an index." Although the final pretrial conference is scheduled for March 28, 2025—five days from now—the Court has not received those materials. The parties shall submit them forthwith, and in no event later than **March 26, 2025**.

The parties must comply with all deadlines and other directives set forth above and in the February 10, 2025 and March 12, 2025 Orders, ECF Nos. 32, 41, respectively, as well as with the Court's Individual Rules and Practices in Civil Cases. Failure to do so may result in sanctions, including the preclusion of evidence, claims, or defenses and/or dismissal of this action.

SO ORDERED.

Dated: March 23, 2025  
New York, New York

---



JENNIFER H. REARDEN  
United States District Judge